

SENATE BILL 826

By Fowler

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10; Title 2, Chapter 11; Title 2, Chapter 12; Title 3, Chapter 16, Part 1; Title 3, Chapter 2, Part 1 and Title 8, Chapter 44, Part 1, to enact "The Political Accountability Reform Act of 2001".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The title of this act is and may be cited as "The Political Accountability Reform Act of 2001".

SECTION 2. Tennessee Code Annotated, Section 2-10-206, is amended by deleting the word "and" at the end of subdivision (8); by deleting the period at the end of subdivision (9) and substituting instead a semicolon and the word "and"; and by adding the following language as a new subdivision to be designated as follows:

(10) Make the contribution and expenditure information in all statements, all addenda to the statements, and all amended statements that are filed with the registry available online to the public by any means that are searchable, viewable, and accessible in a read-only format through the internet.

SECTION 3. Tennessee Code Annotated, Title 2, Chapter 10, Part 2, is amended by adding the following language as a new section to be designated as indicated:

2-10-211. (a) Within five (5) business days after a statement, or addenda or amendment to such statement, filed by a candidate for state public office or political

campaign committee in a state election is received by the registry, the registry shall make available online to the public through the internet the contribution and expenditure information in that statement. Provided, however, the registry shall not make such information available online to the public through the internet for any candidate until the registry is able to make such information available for all candidates for a particular office. As soon as the registry has such information available, the registry shall simultaneously make available online to the public through the internet the information for all candidates for a particular office.

(b) The requirements of §2-10-111 shall not apply to information accessed by the public through the internet under the provisions of subsection (a).

SECTION 4. Tennessee Code Annotated, Section 2-12-103(a), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(a) Effective with election commissioner appointments made for terms beginning on the first Monday in April 2001, two (2) members shall be members of the majority party; two (2) members shall be members of the minority party; and one (1) member shall be a general sessions court judge in the county for which such appointment is made.

SECTION 5. Tennessee Code Annotated, Section 2-12-103(b), is amended by adding the following language as a new subdivision (3) and by renumbering subsequent subdivisions accordingly:

(3) The county legislative body shall appoint the judge of the general sessions court on county election commissions.

SECTION 6. Tennessee Code Annotated, Section 2-11-103(a), is amended by deleting the subsection in its entirety, and by substituting instead the following language:

(a) Effective with the election of the state election commission for terms beginning on the first Monday in May 2003, two (2) members of the commission shall be

members of the majority party; two (2) members of the commission shall be members of the minority party; and one (1) member of the commission shall be the secretary of state.

SECTION 7. Tennessee Code Annotated, Title 3, Chapter 2, Part 1, is amended by adding the following language as a new section to be designated as follows:

Section 3-2-113. All votes constituting final action on a bill or resolution by a subcommittee or ad hoc, special or standing committee shall be by roll-call vote. The secretary of such committee or subcommittee shall call the roll and record the member's vote, orally announcing the results of such votes cast on the question.

SECTION 8. Tennessee Code Annotated, Title 3, Chapter 16, Part 1, is amended by adding the following language as a new section to be designated as follows:

Section 3-16-105. The office of legislative information systems for the general assembly shall develop a computer program which will enable all roll-call votes taken on a bill or resolution by a subcommittee or committee of the general assembly or a roll-call vote of the senate or the house of representatives of the general assembly to be posted in a timely fashion on the internet through the website maintained by the general assembly. In developing the program, the director of such office shall consult with the speakers of the house and the senate to determine the most efficient manner to accomplish such posting. The posting of such votes shall be implemented beginning with the 103rd General Assembly.

SECTION 9. Tennessee Code Annotated, Title 3, Chapter 2, Part 1, is amended by adding the following language as a new section to be designated as follows:

Section 3-2-113. Beginning with the 103rd General Assembly all roll-call votes taken on a bill or resolution by a subcommittee or committee of the general assembly or a roll-call vote of the senate or the house of representatives of the general assembly shall be posted in a timely fashion on the internet through the website maintained by the

general assembly. Such action shall be posted within twenty-four (24) hours of the vote taken on the bill or resolution.

SECTION 10. Tennessee Code Annotated, Section 8-44-102(b)(1), is amended by adding the language “, including all meetings conducted by the general assembly or by a committee, subcommittee or ad hoc committee thereof,” between the words “members of any public body” and “which consists”.

SECTION 11. Tennessee Code Annotated, Section 8-44-102(b)(2), is amended by adding the following language at the end of the subdivision:

With respect to meetings conducted by the general assembly or by a committee, subcommittee or ad hoc committee thereof, the term “meeting” does not include discussions held by members of such bodies if a quorum thereof is not present at any time during which members of such bodies are meeting together.

SECTION 12. Tennessee Code Annotated, Section 8-44-102(a), is amended by adding the following language at the end of the subsection:

Provided, however, the authority of Article II, Section 22 of the Tennessee Constitution which requires committees of the whole of each house to be kept open unless “the business shall be such as ought to be kept secret” shall not be construed as applying to individual standing committees of the house or senate or subcommittees of a standing committee or ad hoc committees of the general assembly as such committees, standing or ad hoc committees are not committees of the whole; provided further the authority of Article II, Section 12 of the Tennessee Constitution giving the general assembly “all other powers necessary for a branch of the Legislature for a free State,” shall not be construed in any manner to permit a standing committee of the house or senate or subcommittees of a standing committee or ad hoc committees of the general assembly created by a specific house of the general assembly to hold meetings that are not open to the public at all times.

SECTION 13. Sections 2 and 3 of this act shall take effect upon becoming a law, for purposes of beginning the implementation process, but for all other purposes, these sections shall take effect and apply to all state elections conducted during 2002, and thereafter. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.